## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

FILED

APR 2 9 2008

Akube W. Ndoromo,	)	Clerk, U.S. District and Bankruptcy Courts
Plaintiff,	)	
v.	) Civil Action No.	08 0742
Judge Emmet G. Sullivan,	)	
Defendant.	)	

## MEMORANDUM OPINION

This matter is before the Court on review of plaintiff's *pro se* complaint and application to proceed *in forma pauperis*. The application will be granted and the complaint will be dismissed pursuant to 28 U.S.C. § 1915A (requiring dismissal of a prisoner's complaint upon a determination that the complaint, among other grounds, seeks monetary relief from an immune defendant).<sup>1</sup>

Plaintiff, an inmate at the District of Columbia Jail, sues United States District Judge Emmet G. Sullivan for apparent rulings made in plaintiff's criminal cases in this Court. Plaintiff accuses Judge Sullivan of, among other sundry misdeeds, "altering, defacing and partial [sic] destroying, and withholding from Jury and [plaintiff] facts of the case . . . and supporting government's illegally [sic] violation . . . ." Compl. at 1-2. He also challenges docket entries that he alleges were "made to obstruct the appeals court's investigation about judge's misconduct file in writ of mandamus." *Id.* at 3. Judges are absolutely immune from lawsuits predicated on acts taken, as alleged here, in their judicial capacity. *Forrester v. White*, 484 U.S. 219, 225 (1988); *Stump v. Sparkman*, 435 U.S. 349, 355-57 (1978); *Sindram v. Suda*, 986 F.2d 1459, 1460

(N)

<sup>&</sup>lt;sup>1</sup> In addition to monetary relief of more than \$455,000, plaintiff seeks removal of Judge Sullivan from the bench. Compl. at 15. This Court is not empowered to grant the latter relief.

(D.C. Cir. 1993). Even if some of the alleged acts, though far-fetched, could be liberally taken as beyond judicial scope, plaintiff would have no claim for damages under the circumstances presented without first invalidating his conviction. *Heck v. Humphrey*, 512 U.S. 477, 486-87 (1994). The complaint therefore is dismissed. A separate Order accompanies this Memorandum Opinion.

Date: April \_//\_\_, 2008

United States District Judge